

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

DEPRY
Room # 307

Application Number : 09/857,300
Filing Date. : June 1, 2001
First Named Inventor : Poopathy Kathirgamanathan
Title: : Electroluminescent Quinolates
Attorney Docket Number: A34319-PCT-US

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22315-1450

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail on January 3, 2004 and is addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22315-1450.

Marta E. Delsignore
Marta E. Delsignore, Ph.D.

REQUEST FOR REFUND

Dear Sir:

An Office Communication mailed December 27, 2004 states that the RCE filed August 17, 2004 is improper. A copy of the Office Communication is attached herewith. Accordingly, Applicants respectfully request a refund of the RCE filing fee of \$770 that was charged to Deposit Account No. 06-0923 for the above-identified patent application.

Respectfully submitted,

Dated: January 3, 2005

Marta E. Delsignore
Marta E. Delsignore
GOODWIN PROCTER LLP
599 Lexington Avenue
New York, NY 10022

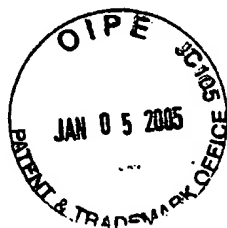


UNITED STATES DEPARTMENT OF COMMERCE
U.S. Patent and Trademark Office
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Alexandria, Virginia 22313-1450

APPLICATION NO/ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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09/857,300

KATHIRGAMATHAN



EXAMINER

YAMNITZKY

ART UNIT

PAPER

1774

12272004

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

On December 17, 2004, a Notice of Improper Request for Continued Examination (RCE) was mailed.

While the RCE filed August 17, 2004 was improper, the Notice mailed December 17, 2004 provided an incorrect reason. Box 7 was incorrectly checked. Box 3 should have been checked. The Office Action mailed March 26, 2004 was a non-final rejection. Since prosecution was not closed, the RCE was improper. However, the amendment filed August 17, 2004 with the RCE has been entered and forwarded to the examiner for consideration under 37 CFR 1.111. See MPEP 706.07(h)III.A.1.

No further response to the Office Action mailed March 26, 2004, or the Notice mailed December 17, 2004, is necessary.

Any inquiry concerning this communication should be directed to Marie R. Yamnitzky at (571) 272-1531.

MRY
December 27, 2004

MARIE YAMNITZKY
PRIMARY EXAMINER

1774

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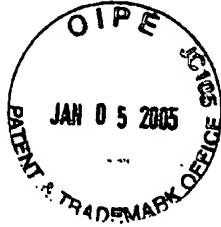
UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/857,300	06/01/2001	Poopathy Kathirgamanathan	A34319-PCT-U	3386

7590
Marta E Delsignore
Goodwin Proctor LLP
599 Lexington Avenue
New York, NY 10022

12/17/2004



EXAMINER

YAMNITZKY, MARIE ROSE

ART UNIT	PAPER NUMBER
1774	

DATE MAILED: 12/17/2004

Please find below and/or attached an Office communication concerning this application or proceeding.



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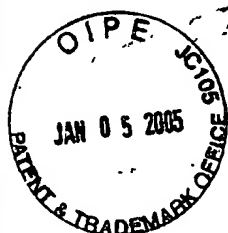
09/857300

APPLICATION NUMBER

FILING DATE

FIRST NAMED APPLICANT

ATTY. DOCKET NO./TITLE



DATE MAILED:

NOTICE OF IMPROPER REQUEST FOR CONTINUED EXAMINATION (RCE)

The request for continued examination (RCE) under 37 CFR 1.114 filed on 8/17/04 is improper for reason(s) indicated below:

- ☐ 1. Continued examination under 37 CFR 1.114 does not apply to an application for a design patent. Applicant may wish to consider filing a continuing application under 37 CFR 1.53(b) or a CPA under 37 CFR 1.53(d). An RCE cannot be treated as a CPA.
- ☐ 2. Continued examination under 37 CFR 1.114 does not apply to an application that was filed before June 8, 1995. Applicant may wish to consider filing a continuing application under 37 CFR 1.53(b).
- ☐ 3. Continued examination under 37 CFR 1.114 does not apply to an application unless prosecution in the application is closed. If the RCE was accompanied by a reply to a non-final Office action, the reply will be entered and considered under 37 CFR 1.111. If the RCE was not accompanied by a reply, the time period set forth in the last Office action continues to run from the mailing date of that action.
- ☐ 4. The request was not filed before payment of the issue fee, and no petition under 37 CFR 1.313 was granted. If this application has not yet issued as a patent, applicant may wish to consider filing either a petition under 37 CFR 1.313 to withdraw this application from issue, or a continuing application under 37 CFR 1.53(b).
- ☐ 5. The request was not filed before abandonment of the application. The application was abandoned, or proceedings terminated on _____. Applicant may wish to consider filing a petition under 37 CFR 1.137 to revive this abandoned application.
- ☐ 6. The request was not accompanied by the fee set forth in 37 CFR 1.17(e) as required by 37 CFR 1.114. Since the application is not under appeal, the time period set forth in the final Office action or notice of allowance continues to run from the mailing date of that action or notice.
- ☒ 7. The request was not accompanied by a submission as required by 37 CFR 1.114. Since the application is not under appeal, the time period set forth in the final Office action or notice of allowance continues to run from the mailing date of that action or notice.

Note: A continued prosecution application (CPA) under 37 CFR 1.53(d) cannot be filed in a utility or plant application. A CPA filed in a utility or plant application that has a filing date on or after June 8, 1995 will be treated as an RCE under 37 CFR 1.114. The request for a CPA in the instant application, however, has been treated as an improper RCE for the reason(s) indicated above.

A copy of this notice MUST be returned with any reply.

Direct the reply and any questions concerning this notice to:

E. Hurd, Technology Center 1700
571-272-1014
(703) 30

08-18-04

RCE

1774

Appin. No. 09/857,300
Atty Docket A34319-PCT-US



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RCE Trans.
PATENT

**REQUEST FOR CONTINUED
EXAMINATION TRANSMITTAL**

Attorney Docket No. A34319-PCT-US

First Named Inventor P. Kathirgamanathan

Express Mail Label No. EL889408047US

Total Pages 3

August 17, 2004

BY EXPRESS MAIL NO.: EL889408047US

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is a Request for Continued Examination (RCE) of prior application No. 09/857,300
filed on June 1, 2001, entitled ELECTROLUMINESCENT QUINOLATES

The term for response or taking action in the prior application expires on June 26, 2004.

☒ An extension of time for response in the prior application is:

☒ filed concurrently herewith.

☐ has been filed on _____.

☐ Enter the unentered amendment previously filed on _____
under 37 CFR 1.116 in the prior nonprovisional application.

☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____

☒ An amendment is enclosed.

☐ Affidavit(s)/Declaration(s) enclosed

Information Disclosure Statement (IDS) is enclosed.

☐ PTO-1449

☐ Copies of IDS Citations

08/19/2004 HALL11 00000066 060923 09857300

01 FC:1801 770.00 DA
justified: 02/18/2005 00:00:00 DIRETA1
7/19/2004 HALL11 00000066 060923 09857300
FC:1801 770.00 CR

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